

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**TRACY A. COOK,**

**Defendant.**

**8:01CR215**

**MEMORANDUM AND ORDER**

This matter is before the Court on the Defendant's correspondence, filed as a Motion for Reconsideration, ECF No. 171. In the letter, the Defendant states that he attempted to appeal from this Court's Memorandum and Order of February 28, 2019, ECF No. 169, in which the Court denied his Motion for Relief and Re-Sentencing Pursuant to the First Step Act, ECF No. 164. No notice of appeal appears in the record. The record does reflect, however, a Revised Retroactive Sentencing worksheet filed on October 28, 2019, ECF No. 170, in which the Probation Office now concludes the Defendant is eligible for relief under the First Step Act.

**IT IS ORDERED:**

1. The Defendant's correspondence, filed as a Motion for Reconsideration, ECF No. 171, is granted insofar as the Court will reconsider its Memorandum and Order of February 28, 2019, ECF No. 169;
2. The Office of the Federal Public Defender is appointed to represent the Defendant in this matter, pursuant to the Court's General Order 2019-01; and
3. The Clerk will mail a copy of this Memorandum and Order to the Defendant at his last known address.

Dated this 15<sup>th</sup> day of June 2020.

BY THE COURT:

s/Laurie Smith Camp  
Senior United States District Judge